

Comments and Coordination

for

Project 1440-13/15-00

WIS 23 (Fond du Lac - Plymouth)

Fond du Lac and Sheboygan Counties

COMMENTS AND COORDINATION

This section discusses community involvement and coordination with state and federal regulatory agencies during the development and evaluation of alternatives for WIS 23. The public involvement process was open in accordance to Executive Order 12898 on **Environmental Justice**, calling for WisDOT/FHWA to provide meaningful opportunities for low-income, elderly, handicapped and minority populations, including community input in identifying potential impacts, alternatives and mitigation measures.

PUBLIC INVOLVEMENT

Newsletters

Periodic newsletters were sent out to all abutting property owners and to others that have requested or signed up at WisDOT meetings. Newsletters were sent to federal, state and local officials. The newsletters provided notification of upcoming public meetings and general information summarized below.

September 2002

Provided a timeline to the WIS 23 planning process, a list of WIS 23 Advisory Committee Members, a corridor map with alternatives and general information about the study process. See Appendix D.

January 2003

This newsletter announced the second set of Public Informational Meetings and a brief revised project schedule. See Appendix D.

January 2004

This newsletter announced the third set of Public Informational Meetings. Also included was an update to the progress on the EIS, a brief explanation of the Value Planning study, an updated corridor map, a list of the advisory committee members, an updated project history and timeline, and a letter from state legislators. See Appendix D.

Public Information Web Site

WisDOT created a public information web site to help provide an additional source of information to the public. The site became available to the public on February 5, 2003. The web site contains EIS study information, updates, study area maps, alternatives being studied and a list of contacts. The web site address is: <http://www.dot.wisconsin.gov/projects/d3/wis23/index.htm>

Public Informational Meetings

All public meetings were announced by block advertisements in local newspapers, by posters hung in area businesses, and by a letter of invitation to all abutting property owners and persons on our project mailing list. Public meetings were held in handicapped accessible buildings and opportunities to request an interpreter/signer were given. The public meetings were held in an open format that allowed one-to-one interaction with property owners and interested parties. Comment sheets were available for written comments.

Meetings of March 2002

Two Public Informational Meeting (PIM) were held to introduce the WIS 23 expansion project to the general public and what to expect in the upcoming months. The corridor was shown from Fond du Lac to Plymouth with a two-mile corridor width from existing WIS 23. Several environmental maps were shown indicting topography, aerial photography, known wetlands, archaeological, and historical sites, existing and projected traffic volumes, access points by type and crash information. Attendees were asked for information about areas of concern or problems as well as for thoughts for the future highway, including alternate location.

Meetings of February 2003

These meetings were held to give the public two opportunities to see the updates to the WIS 23 EIS study. Preliminary impact estimates were shown for the individual alternative costs, acres of right-of-way needed, number of residential and farmsteads taken, and acres of wetland, upland, and agriculture lands needed. Questions were answered about the process, upcoming schedule, and key decisions to be made. Attendees were given an opportunity to write their comments about the WIS 23 study.

Meetings of March 2004

These public meeting were held to update the public on the status of the EIS and some of key issues that have been resolved. The most recent impact estimates (described in previous meeting note) were shown for the alternatives. The public was informed of the upcoming draft EIS and pending Public Hearings following. Again, questions were answered about the process, upcoming schedule, and key decisions to be made. Attendees were given an opportunity to write their comments about the WIS 23 study.

Summary of Public Comments

The above lists public meetings and information available to the public. In addition to the listed meetings, numerous telephone contacts and correspondence have been exchanged with interested individuals and groups. To date, the meetings and other coordination activities have indicated several main issues of concern to those interested in the project. These issues are summarized below.

Residential Impacts: Area residents have expressed concern about the impacts of the WIS 23 project on their existing residences, both on the existing highway and on the offline alternatives. Existing and future noise levels were also a concern.

Business Impacts: Some local business owners have expressed concern and questioned how the highway expansion would affect their businesses. General comments include access and how much property might be taken. WisDOT will continue to work with local businesses to provide these answers as the alternative is chosen and design becomes more specific to improved WIS 23.

Agricultural Impacts: Area farmers have expressed concern about the impacts to their farming operations, including: maintaining access/agricultural median crossovers, size and shape of remnant parcels, loss of farmland, severance of farmland, disruption to farm drainage systems/drain tiles and fences. WisDOT will work with farmers to provide access points and median crossovers where possible. Affected landowners will be given advance notice of acquisition and construction so they can plan farm activities accordingly. WisDOT will work with farmers to identify drain tile locations so disruption to drainage is minimized.

Specifically, many people are concerned with Alternatives 2 and 3 and the amount of unspoiled farmland that would be taken.

Many farm residents have expressed concerns that their properties that have been in family hands for many generations will be destroyed or permanently affected.

Environmental Impacts: Area residents have expressed concern about the loss of natural environmental resources such as wetlands and wooded uplands and the wildlife associated with those resources. Most concern is directed toward Alternative 2's impact on the environment.

Safety: Area residents expressed concern about existing safety at intersections. Other concern is, if four lanes are constructed that the speed of traffic will rise and continue to cause problems after the improvement. Their concern is that the increased speed at the cross roads may be a safety hazard.

Some comments prefer a freeway type facility and a free-flow connection with USH 151 in the City of Fond du Lac area. Also, concerns about what intersections might be closed and if any frontage roads would be built.

Concern over the existing Ice Age Trail crossing and the difficulties of crossing four lanes of traffic.

There has also been interest expressed for a signal light or interchange at the intersection of CTH K and WIS 23.

Concern over emergency vehicles continuing to have direct access to WIS 23.

The turn movements in and out of businesses and residences are a safety hazard.

Concern over lack of law enforcement and that accidents are a result of driver error or conditions, not the highway.

Alternative 2 would be safer by avoiding existing intersections at hills and curves and avoids farm machinery along the highway.

Alternative 2 and 3 avoid having to displace many buildings, farm and residences.

Miscellaneous Comments: Some comments contend that the project is not needed and is a waste of taxpayers' money. Suggestions include not doing the project or building only passing lanes.

Many people have expressed interest to expand the Old Plank Trail westward connecting to the USH 151 trail and the City of Fond du lac.

The expansion to four lanes will promote urban sprawl.

The highway can be improved with passing lanes rather than expansion to four-lanes.

The Value Planning Study and Advisory Committee are bias because there are members on it who only live on Alternative 1.

Any new road, off of the existing would be a duplication of the roadway and therefore a waste.

WIS 23 Advisory Committee

An public advisory committee (PAC) for the WIS 23 Environmental Study was established to provide local input from citizens and officials. The advisory committee includes the Highway Commissioners and Planning Directors of Fond du Lac and Sheboygan County; the Community Development Director of the City of Fond du Lac; a representative of the UW Extension; chairpersons from the Towns of Empire, Forest, Greenbush, and Plymouth; and seven local residents and business owners. In addition to the above members, participants include WisDOT and Regional Planning Staff members (See Appendix D for a list of members and meeting notes). Several meetings have taken place prior to this document, described below. All of the meetings were held at the Greenbush Town hall, and more are anticipated, to better determine how city and town development can be properly planned alongside highway access issues. The Federal Highway Administration has recommended continuing the WIS 23 Advisory Committee through the design and construction of the highway.

Advisory Meeting of April 30, 2002

This meeting introduced WisDOT Staff and corridor information to the new committee. Terminology was explained and questions answered. WisDOT alternative ideas were shown and any new ideas were discussed. Freeway versus expressway options were explained and discussed. More information was desired for the alternatives for the next meetings (See Appendix D).

Advisory Meeting of June 4, 2002

Additional information was presented on the types of factors that will be wused to compare the alternatives in a matrix. Several concerns were brought up. The alternatives were reviewed, some were not recommended and the remaining alternatives to carry forward in the EIS were agreed to by the committee (See Appendix D).

Advisory Meeting of November 19, 2002

This meeting further discussed the EIS process, and comments that have been received by committee members. Most comments seem to be against going off of the existing highway. The committee agreed that an expressway facility is more desirable than a freeway facility (See Appendix D).

Advisory Meeting of March 12, 2004

Committee members were updated on changes and developments in the EIS study, including the Ice Age Trail Crossing, CTH K intersection, Alternative 2 shift, and the Value Engineering Study. Initial efforts began on an access plan between WisDOT and local townships to determine the best road access to the future WIS 23 highway (See Appendix D).

LOCAL GOVERNMENT AND AGENCY COORDINATION

Local Officials Meetings

These meeting were set up to give local agencies and officials notice that WisDOT was commencing with the Environmental Impact Study

Local Officials Meeting of Dec 3 & 4, 2001 - Sheboygan & Fond du Lac Counties

The purpose of these meeting was to introduce WisDOT staff and to:

- ◆ Discuss the purpose for doing corridor plan.
- ◆ Discuss other events happening in the corridor plan study area.
- ◆ Discuss roles of the DOT and Regional Planning Commissions.
- ◆ Gather ideas about public participation and committee/work group participants.
- ◆ Listen to concerns, problems and issues regarding STH 23.
- ◆ Gather preliminary ideas on the types of elements to be included in corridor plan.

See Appendix D

Local Officials Meeting of Feb 26, 2002 - In Fond du Lac

This meeting was held to discuss information received in survey of public officials and to preview and discuss displays and information for the upcoming Public Informational Meetings. The attendees of the first Local Official Meetings were invited.

Agency Coordination

In cooperation with the Federal Highway Administration, WisDOT has followed the National Environmental Policy Act (NEPA)/404 process for concurrency. This process began with Regulatory Agency coordination (U.S. Army Corps of Engineers (COE), U.S. Department of the Interior, Fish and Wildlife Service (F&W), and U.S. Environmental Protection Agency (EPA)) along with state review agencies and Native American tribes. In addition to the meetings described below, further coordination occurred between WisDOT and participating agencies throughout the EIS. See Table VI-1 on the next page for a summary of coordination with the regulatory and participating agencies. Additional correspondence can be found in Appendix D

Meeting of July 2, 2002

All agencies described above were invited to this initial Agency Scoping Meeting. WisDOT described the purpose and need of the WIS 23 Environmental Study, and provided the developed alternatives to date. Invitations to participate in field reviews were given (See Appendix D).

Meeting of Dec 10, 2003

This meeting was help to discuss any agency concerns about the EIS, the purpose and need of the project, and the alternatives being studied. Concerns about the Segment B cedar/hardwood wetlands and the Ice Age Trail Crossing were further discussed. Suggested solutions and steps were outlined to help address these areas of concern in cooperation with those involved (See Appendix D).

**Table VI-1
Agency Coordination Summary**

Agency	Coordination	Comments
Federal Highway Administration	Notice of Intent (NOI) for an Environmental Statement.	Published in the <i>Federal Register</i> on November 24, 2003 .
Wisconsin Department of Natural Resources (DNR)	No comments on the projects Purpose & Need. Concurrence for the Alternatives carried forward for study on March 11, 2004 . Also met about the IAT crossing and concurred on March 11, 2004 .	Alternative 1 is the most desirable of the alternatives in this study. Segment B in Alternatives 2, 4, & 6 pass through a wetland area of concern. This area has been shifted and narrowed in cooperation with WDNR to avoid as much impact as possible for these alternatives.
State Historical Society of Wisconsin (SHS)	Ongoing.	Phase 1 site identification survey complete. Results of the survey are found in Section IV.
Department of Agriculture, Trade, and Consumer Protection (DATCP)	Deferred writing of Agricultural Impact Study (AIS) until preferred alternative is chosen. General Comment letter on Alternatives received on Dec 10, 2003 .	Preference is no build. At this time, regarding corridors being studied, Alternative 3 is their route of choice due to the smaller impacts to farmsteads and the related buildings.
U.S. Army Corps of Engineers (COE)*	Concurred on the projects Purpose & Need and the Alternatives carried forward for study on March 12, 2004 .	No preference on an Alternative at this time. COE remains concerned with the magnitude of the potential aquatic resource impacts associated with all of the alternatives.
U.S. Department of the Interior, Fish and Wildlife Service (F&W)*	Concurred on the projects Purpose & Need on September 2, 2003 . Concurrence for the Alternatives carried forward for study on December 8, 2003 . Also met about the IAT crossing and concurred on March 31, 2004 .	F&W has no preference on any alternatives at this time. However, minimizing the affects of wetland and habitat impacts is a concern. F&W also participated in the Ice Age Trail meetings and on the location and type of crossing. They would like to see the crossing wide enough to encourage wildlife to use it.
U.S. Environmental Protection Agency (EPA)*	Concurred on the projects Purpose & Need and the Alternatives carried forward for study on March 15, 2004 .	No preference on an Alternative at this time. The EPA is concerned with the white cedar wetland in Alternative 2. In addition, the EPA recommends wetland avoidance as much as possible for all of the alternatives.
U.S Department of the Interior, National Park Service (NPS)	NPS participated in the Ice Age Trail meetings and concurred on Jan 28, 2004 on the location and type of crossing.	
Iowa Tribe of Oklahoma		No comments on the proposed project.
Menominee Indian Tribe of Wisconsin		Concerned with archaeological and historical surveys and would like to review them.

*NEPA/404 Process Coordinating Agency

Miscellaneous Meetings

Value Engineering/Planning Study of July 2003

A Value Planning Study (VP) was conducted from July 7-11, 2003 to reevaluate the future purpose and need of WIS 23 and to provide solutions to achieve these desired needs. The 40-hour workshop study is mandated by the FHWA. The group that reviewed this project included state and national experts in the fields of highway engineering, traffic engineering, and planning.

Members of the Highway 23 Advisory Committee were also included in this group to provide a local perspective. The study identified problems along the existing corridor and provided general recommendations. In addition, the study recommended alternatives to be evaluated by WisDOT. See Appendix E for the final VP report.

Meeting of Dec 18, 2003

This was the preliminary meeting for discussion on a crossing/grade separation for the Ice Age Trail and State Equestrian Trail. FHWA, US F&WS, NPS, WDNR and WisDOT participated in the meeting. It was decided that a grade separation would be built. A field review/meeting was set up to discuss the specifics of the crossing (See Appendix D).

Meeting of Jan 14, 2004

WisDOT and officials from the City and County of Fond du Lac met to discuss the options for the CTH K intersection with WIS 23. WisDOT acknowledged that it would not support an interchange at that location. Other intersection treatments were discussed and will be brought forward for the draft EIS, including a low speed access connection (See Appendix D).

Meeting of Jan 28, 2004

This meeting was the follow up field review concerning the Ice Age Trail Crossing. Attendees included FHWA, USF&WS, NPS, WDNR, Ice Age Park & Trail Foundation, WisDOT and members of the Plymouth Trail Riders Club. The following issues were discussed and agreed upon (see Appendix D):

- There will be a grade separation of STH 23 and the Ice Age Trail.
- The IAT and the State Forest Equestrian Trail will cross underneath STH 23. Both trails will share a single underpass crossing.
- The width of the crossing will be a minimum of 12 feet with a natural bottom.
- The crossing location will be within the Julie Road connections with STH 23.
- The median of the four-lane highway will be 60 feet wide.
- WisDOT will mitigate land as necessary for the Kettle Moraine State Forest.